

FILED 08 SEP 23 09:45 USDC-ORF

IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF OREGON

TIMOTHY BREEDLOVE,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant

Civil No. 3:07-CV-1743-AC

ORDER FOR REMAND

Based on the stipulation of the parties, it is hereby ordered that the Commissioner's final decision is reversed and remanded for further administrative proceedings, in accordance with sentence four of 42 U.S.C. § 405(g). Upon remand, a new ALJ will further develop the record and conduct a de novo hearing, at which further evidence will be obtained as to the effects of Plaintiff's limitations. The ALJ will re-evaluate the medical evidence, fully addressing the opinion of Dr. Alden Glidden. The testimony and written statement of Plaintiff's wife will be considered under Social Security Ruling 06-03p. The ALJ will make a new determination as to

Plaintiff's disability taking all evidence into account, and issue a new decision. Upon proper application, Petitioner shall be entitled to reasonable attorney's fees under the terms of the Equal Access to Justice Act, 28 U.S.C. §2412 et seq.

DATED this 22nd day of September, 2008.


UNITED STATES MAGISTRATE JUDGE

PRESENTED BY:

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United States Attorney
District of Oregon

BRITANNIA I. HOBBS
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s/ David J. Burdett
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